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Written Medicaid prescriptions must meet new special tamper-resistant standards beginning October 1, 2008

OLYMPIA -- Under federal law, the paper used for all written Medicaid fee-for-service prescriptions must meet new tamper-free standards beginning Thursday, October 1. Up to about 400,000 Washington State Medicaid clients may be affected by the new rule.

Beginning October 1, the pads on which Medicaid prescriptions are written must now include at least three distinct tamper-resistant features. Previously, the pads only had to exhibit one of the three features. The three are:

- **No copying:** Pads must prevent unauthorized copying of completed or blank prescription forms. For example: Pantographs that reveal the word "void" when copied.
- **No alterations:** Pads must prevent erasure or modification of writing on the prescription form. For example, chemical stains or altered background reveal attempts at ink or toner removal.
- **No counterfeiting:** Pads must be distinctive. For example, featuring watermarks or other characteristics that can't be reproduced.

The requirement was originally passed in 2007 and has been implemented in several phases, beginning in April of 2008. The rule change applies only to written prescriptions, not those telephoned, faxed or e-mailed to a pharmacy.

The new rule also does not apply to:

- Medicaid prescriptions issued by providers in Healthy Options or other medical assistance managed care plans and which are reimbursed through the managed care plan. A little more than half of Washington State's 870,000 Medicaid clients are in managed care plans.
- Medications dispensed in designated state institutional or clinical settings.
- Prescription refills when the original prescription was written before the October 1, 2008, deadline, when pads were only required to have one tamper-resistant feature.

Prescribers and pharmacists can access additional information on the new law on the Washington State Medicaid Web page (<http://maa.dshs.wa.gov>) or on the federal Medicaid Web site at <http://www.cms.hhs.gov/center/intergovernmental.asp> DSHS also is distributing reminders about the October 1 change to pharmacies and providers this week.

2 – New tamper-free prescription pad requirements

Pharmacists are allowed to use emergency dispensing procedures in Washington State for valid written prescriptions that are written on paper that does not meet the federal standards. In those circumstances, the pharmacy may fill the prescription as long as the pharmacy later verifies it with the prescriber and a faxed, electronic, or compliant written prescription from the prescriber is forwarded to the pharmacy within 72 hours after the prescription was filled.

However, all providers are cautioned to be rigorous about the possibility of tampered prescriptions in the case of Schedule II drugs and to report any suspicious prescriptions to the prescribing provider as quickly as possible. The emergency guidelines do not allow pharmacies to fill Schedule II prescriptions on improper paper unless the prescription can be verified by telephone or fax.

A list of vendors offering tamper-resistant paper is posted on the Washington State Web site. Pharmacies and providers should obtain a document certifying any vendor's claim that its product meets the federal specifications.

The Department of Social and Health Services is encouraging Washington Medicaid pharmacists to verify prescriptions on noncompliant pads by calling, faxing, or e-mailing prescribers whenever possible to ensure continuity of care and access to necessary medications for Medicaid recipients.

FOR MORE INFORMATION AND BACKGROUND:

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Washington State Medicaid Pharmacy Information Web page: <http://maa.dshs.wa.gov>

Federal Medicaid Web Site: <http://www.cms.hhs.gov/center/intergovernmental.asp>